

IN THE  
**Supreme Court of the United States**  
**OCTOBER TERM, 1988**

IN THE MATTER OF B.B. AND G.B., MINORS.  
MISSISSIPPI BAND OF CHOCTAW INDIANS

*Appellant,*

vs.

ORREY CURTISS HOLYFIELD, VIVIAN JOAN  
HOLYFIELD, J.B., NATURAL MOTHER AND  
W.J., NATURAL FATHER,

*Appellees.*

On Appeal From the  
**Supreme Court of Mississippi**

**JOINT APPENDIX**

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**JURISDICTIONAL STATEMENT FILED DECEMBER 15, 1987**  
**REVIEW GRANTED MAY 23, 1988**

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### CHRONOLOGICAL LIST OF RELEVANT DOCKET ENTRIES

January 16, 1986—Appellees Original Petition for Adoption, Doctor's Certificates, Consents to Adoption and Judge's Certifications Filed in the Chancery Court, First Judicial District, Harrison County, Mississippi.

January 28, 1986—Final Decree Entered by the Chancery Court, First Judicial District, Harrison County, Mississippi.

March 31, 1986—Motion to Vacate and Set Aside Final Decree of Adoption Filed in the Chancery Court, First Judicial District, Harrison County, Mississippi.

June 3, 1986—Judge's Certifications Filed in the Chancery Court, First Judicial District, Harrison County, Mississippi.

June 9, 1986—Affidavits and Reaffirmations of Consents to Adoption Filed in the Chancery Court, First Judicial District, Harrison County, Mississippi.

July 14, 1986—Opinion Filed in the Chancery Court, First Judicial District, Harrison County, Mississippi.

July 14, 1986—Order Filed in the Chancery Court, First Judicial District, Harrison County, Mississippi.

August 11, 1986—Notice of Appeal Filed in the Chancery Court, First Judicial District, Harrison County, Mississippi.

October 30, 1986—Assignments of Error Filed in the Supreme Court of Mississippi.

October 30, 1986—Brief of Appellant Filed in the Supreme Court of Mississippi.

January 5, 1987—Brief of Appellee Filed in the Supreme Court of Mississippi.

January 20, 1987—Replied Brief of Appellant Filed in the Supreme Court of Mississippi.

August 5, 1987—Opinion of the Supreme Court of Mississippi—Affirmed.

August 20, 1987—Petition for Rehearing of Appellant Filed in the Supreme Court of Mississippi.

August 20, 1987—Brief in Support of Petition of Rehearing of Appellant Filed in the Supreme Court of Mississippi.

September 16, 1987—Petition for Rehearing Denied and Original Opinion Modified by the Supreme Court of Mississippi.

September 17, 1987—Mandate Issued by the Supreme Court of Mississippi.

September 21, 1987—Mandate received from the Supreme Court of Mississippi.

**IN THE CHANCERY COURT OF HARRISON COUNTY  
FIRST JUDICIAL DISTRICT**

**IN THE MATTER OF THE ADOPTION OF CAUSE NO A-3577**  
LITTLE BOY BELL and LITTLE GIRL BELL,  
Minors  
ORREY CURTISS HOLYFIELD, VIVIAN JOAN HOLYFIELD, and JENNIE BELL, Natural Mother  
PETITIONERS  
WINDELL JEFFERSON, Natural Father DEFENDANT

**PETITION FOR ADOPTION  
FILED JANUARY 16, 1986**

Comes now, ORREY CURTISS HOLYFIELD and VIVIAN JOAN HOLYFIELD and files this their Petition for Adoption of said minor children, LITTLE BOY BELL and LITTLE GIRL BELL, and would respectfully show unto the Court the following facts, to-wit:

**I.**

That the Petitioners, ORREY CURTISS HOLYFIELD and VIVIAN JOAN HOLYFIELD, are adult resident citizens of the First Judicial District of Harrison County, Mississippi, and have resided in the State of Mississippi for more than six (6) months next preceding the filing of this Petition. That Petitioner, JENNIE BELL is an adult resident citizen of Philadelphia, Mississippi, residing on the Choctaw Indian Reservation in Philadelphia, Mississippi. Petitioners would show that said minors sought to be adopted are physically and mentally fit to be adopted and that certificates of physicals will be attached hereto and made a part hereof as though manually copied in exact words and figures and marked as Exhibit "A," and that

said minor children do not have any property of any kind whatsoever, and do not have a guardian or ward.

II.

That said minors, LITTLE BOY BELL and LITTLE GIRL BELL, were born December 29, 1985, in Gulfport, Mississippi, and have resided herein since that time and are presently residing here.

III.

That the Petitioner, JENNIE BELL, is the mother of said minors in this Petition and has executed her consent to this proceeding. That the Defendant, WINDELL JEFFERSON, is a non-resident citizen of Harrison County Mississippi and is the father of said minors, LITTLE BOY BELL and LITTLE GIRL BELL, and has executed his consent to this proceeding.

IV.

That the Court has jurisdiction over the parties and subject matter herein.

V.

That the Defendant, WINDELL JEFFERSON, and father has not ever contributed to the support or welfare of said minor children and never intends to do so. That the Defendant has never been married to the mother of said children.

VI.

That Petitioners, ORREY CURTISS HOLYFIELD and VIVIAN JOAN HOLYFIELD would show that they have complete and entire custody of said minor children, and are desirous of adopting said minor children as their own and heirs-at-law, and further that Petitioner, ORREY

CURTISS HOLYFIELD, is of one-eighth (1/8) blood Choctaw Indian. ORREY CURTISS HOLYFIELD and VIVIAN JOAN HOLYFIELD, humbly believe that they are fit, suitable and proper persons to adopt said children and to continue to have the responsibility of their care, custody and control as though born to them. That your Petitioners, ORREY CURTISS HOLYFIELD and VIVIAN JOAN HOLYFIELD, would further show that if permitted to adopt said children, they will rear and care for said children as a member of their family, as they already have, and will continue to do for them in all respects as if born to them, including the right of inheritance from them to confer on said children all rights of inheritance provided by law and all rights conferred on the Petitioners by virtue of the Mississippi Code of 1972, Annotated.

VII.

That Petitioner, JENNIE BELL, is the mother of said children and has given her consent to this proceeding as indicated by attached Exhibit "B." That said consent was executed in the presence of a Judge of competent jurisdiction and more than ten days after the birth of said minors subject of this proceeding. That Defendant, WINDELL JEFFERSON, father of said children, has executed his consent which is attached hereto as Exhibit "C."

VIII.

Your Petitioners, ORREY CURTISS HOLYFIELD and VIVIAN JOAN HOLYFIELD, would show that they would name said minor children, SAMUEL SETH HOLYFIELD and MEGAN BETH HOLYFIELD.

WHEREFORE, PREMISES CONSIDERED, Petitioners pray that this their Petition be received and filed, and that upon a hearing hereon, the Court will enter a Decree, declaring that from henceforth said minor children born on the 29th day of December, 1985, in the City of Gulfport,

State of Mississippi, be for all legal intents and purposes the children of the Petitioners, ORREY CURTISS HOLYFIELD and VIVIAN JOAN HOLYFIELD, with all rights and benefits arising from a natural parent-child relationship, particularly the right of inheritance from and through the adopting parents, ORREY CURTISS HOLYFIELD and VIVIAN JOAN HOLYFIELD, by the laws of the State of Mississippi, and that the adopting parent shall inherit from and through said children just as though said children had been born to the Petitioners including all rights existing by virtue of the Mississippi Code, 1972, Annotated, and that the natural parents JENNIE BELL and WINDELL JEFFERSON, shall not inherit from and through said children. That the minor childrens' names shall be SAMUEL SETH HOLYFIELD and MEGAN BETH HOLYFIELD, by which name they shall hereinafter be known as and called, and that this Court will enter such other and further order as it may deem proper in the premises.

RESPECTFULLY SUBMITTED,

/s/  
ORREY CURTISS HOLYFIELD

/s/  
VIVIAN JOAN HOLYFIELD

/s/  
JENNIE BELL

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

PERSONALLY appeared before me, the undersigned authority, in and for the aforesaid County and State, the within named, ORREY CURTISS HOLYFIELD, VIVIAN JOAN HOLYFIELD and JENNIE BELL, who being duly sworn by me an [sic.] oath, states that the matters, things, and

facts set forth in the above and foregoing Petition are true and correct as therein stated.

/s/  
ORREY CURTISS HOLYFIELD

/s/  
VIVIAN JOAN HOLYFIELD

/s/  
JENNIE BELL

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

SWORN to and subscribed before me, this the 10th day of January, 1986.

/s/ Edward O. Miller  
NOTARY PUBLIC

MY COMMISSION EXPIRES:  
3/23/87

**DOCTOR'S CERTIFICATE  
FILED JANUARY 16, 1986**

The undersigned, a medical doctor licensed to practice medicine in Harrison County, Mississippi, does hereby certify that Bell Baby Boy has developed normally, both mentally and physically, to the best of his knowledge and belief.

This the 14th day of January, 1986,

/s/ David Reever, M.D.  
Doctor's Signature

**EXHIBIT "A"**

**DOCTOR'S CERTIFICATE  
FILED JANUARY 16, 1986**

The undersigned, a medical doctor licensed to practice medicine in Harrison County, Mississippi, does hereby certify that Bell Baby Girl has developed normally, both mentally and physically, to the best of his knowledge and belief.

This the 14th day of January, 1986.

/s/ David Reever, M.D.  
Doctor's Signature

**EXHIBIT "A"**

**STATE OF MISSISSIPPI  
COUNTY OF HARRISON**

**CONSENT TO ADOPTION  
FILED JANUARY 16, 1986**

I, the undersigned, JENNIE BELL, an adult resident non-citizen of the City of Philadelphia, State of Mississippi, the natural mother of LITTLE BOY BELL and LITTLE GIRL BELL, born December 29, 1985, both minors, do hereby grant unto ORREY CURTISS HOLYFIELD, and VIVIAN JOAN HOLYFIELD, the absolute right to the care, custody, control, service and earnings of said minors.

It is further understood that I hereby disclaim any further responsibility for the care and support of said minors and that said minors cannot be reclaimed by me.

After due consideration and believing that the best interest of said minors will be promoted by their being placed with the said ORREY CURTISS HOLYFIELD and VIVIAN JOAN HOLYFIELD, I do fully, finally, completely and absolutely consent to the adoption of said minors by said party, without further notice with the same force and effect as though I personally were present and gave such consent at the time of the adoption, expressly waiving the right to notice of any adoption hearing.

I further give and grant unto the said ORREY CURTISS HOLYFIELD and VIVIAN JOAN HOLYFIELD, the right of guardianship of said minors with the same parental control and authority that I would have, had I retained custody of said minors.

WITNESS MY SIGNATURE, this the 10th day of January, 1986.

/s/  
JENNIE BELL

**STATE OF MISSISSIPPI  
COUNTY OF HARRISON**

Sworn to and subscribed before me, this the 10th day  
of January, 1986.

/s/ Edward O. Miller  
NOTARY PUBLIC

My Commission Expires:  
3/23/87

EXHIBIT "B"

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

JUDGE'S CERTIFICATE  
FILED JANUARY 16, 1986

I, Jason H. Floyd, Jr. the undersigned Chancellor for the Eighth Judicial District, State of Mississippi, do hereby certify that JENNIE BELL has appeared before me for the purpose of executing a Parent's Consent for the surrender of her children and for adoption, and further, that all terms and provisions, along with the consequences of the Consent Form were fully explained in detail to the said JENNIE BELL in English.

I certify that that the said JENNIE BELL stated that she fully understood the nature of these proceedings, and that same was fully understood by said JENNIE BELL, and that the Consent and Waiver was given in full compliance with Section 103(a) of Public Law 95-608.

This the 10th day of January, 1986.

/s/ Jason H. Floyd, Jr.  
CHANCELLOR

STATE OF MISSISSIPPI  
COUNTY OF NESHOBIA

CONSENT TO ADOPTION  
FILED JANUARY 16, 1986

I, the undersigned, WINDELL JEFFERSON, an adult resident non-citizen of the City of Philadelphia, State of Mississippi, the natural father of LITTLE BOY BELL and LITTLE GIRL BELL, born December 29, 1985, both minors, do hereby grant unto ORREY CURTISS HOLYFIELD, and VIVIAN JOAN HOLYFIELD, the absolute right to the care, custody, control, service and earnings of said minors.

It is further understood that I hereby disclaim any further responsibility for the care and support of said minors and that said minors cannot be reclaimed by me.

After due consideration and believing that the best interest of said minors will be promoted by their being placed with the said ORREY CURTISS HOLYFIELD and VIVIAN JOAN HOLYFIELD, I do fully, finally, completely and absolutely consent to the adoption of said minors by said party, without further notice with the same force and effect as though I personally were present and gave such consent at the time of the adoption, expressly waiving the right to notice of any adoption hearing.

I further give and grant unto the said ORREY CURTISS HOLYFIELD and VIVIAN JOAN HOLYFIELD, the right of guardianship of said minors with the same parental control and authority that I would have, had I retained custody of said minors.

WITNESS MY SIGNATURE, this the 11th day of January, 1986.

/s/  
WINDELL JEFFERSON

STATE OF MISSISSIPPI  
COUNTY OF NESHOBIA

SWORN to and subscribed before me, this the 11th day of January, 1986.

/s/ Arthur C. Sharp, Jr.  
NOTARY PUBLIC

My Commission Expires:  
8-8-89

EXHIBIT "C"

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

**JUDGE'S CERTIFICATE**  
**FILED JUNE 3, 1986**

I, JASON H. FLOYD, JR. the undersigned Chancellor for Harrison County, the First Judicial District, State of Mississippi, do hereby certify that WINDELL JEFFERSON has appeared before me for the purpose of executing a Parent's Consent for the surrender of his children and for adoption, and further, that all terms and provisions, along with the consequences of the Consent Form were fully explained in detail to the said WINDELL JEFFERSON in English.

I further certify that that the said WINDEL JEFFERSON stated that he fully understood the nature of these proceedings, and that same was fully understood by said WINDELL JEFFERSON, and that the Consent and Waiver were given full compliance with Section 103(a) of Public Law 95-608.

This the 3rd day of June, 1986.

/s/ Jason H. Floyd, Jr.  
CHANCELLOR

**THE CHANCERY COURT OF HARRISON COUNTY,  
MISSISSIPPI**

**FIRST JUDICIAL DISTRICT**

In the Matter of the Adoption of  
SAMUEL SETH HOLYFIELD and  
MEGAN BETH HOLYFIELD

No. A-3574

ORREY CURTISS HOLYFIELD and PETITIONERS  
VIVIAN JOAN HOLYFIELD

**FINAL DECREE OF ADOPTION**  
**FILED JANUARY 28, 1986**

This day this cause came on to be heard upon the Petition of ORREY CURTISS HOLYFIELD and VIVIAN JOAN HOLYFIELD, and it appearing to the Court that it has full and complete jurisdiction of all of the parties and of the subject matter, and the Court, after hearing and considering the Petition and the testimony presented in open Court, finds that Petitioners, ORREY CURTISS HOLYFIELD and VIVIAN JOAN HOLYFIELD, are adult resident citizens of the First Judicial District of Harrison County, Mississippi, and had resided in the State of Mississippi for more than six (6) months prior to the filing of this Petition. That SAMUEL SETH HOLYFIELD and MEGAN BETH HOLYFIELD, Minors, are residing with Petitioners, ORREY CURTISS HOLYFIELD and VIVIAN JOAN HOLYFIELD, that the children sought to be adopted are physically and mentally fit to be adopted. That said children do not have any property of any kind whatsoever, and do not have a guardian.

**I.**

The Court further finds that the children sought to be adopted were born December 29, 1985, in Gulfport, Mississippi.

## II.

The Court further finds that the natural mother, Petitioner, and the natural father, Defendant, have executed Consents to Adoption which are on file in said cause.

The Court further finds that ORREY CURTISS HOLYFIELD and VIVIAN JOAN HOLYFIELD, are fit and proper persons to adopt said children, and would show that they have complete and entire custody of said minors, and that it would be in the best interest of said minors that they be adopted by Petitioners, ORREY CURTISS HOLYFIELD and VIVIAN JOAN HOLYFIELD. That the minors have no property of their own. It is therefore,

ORDERED AND ADJUDGED, that SAMUEL SETH HOLYFIELD and MEGAN BETH HOLYFIELD, were born on December 29, 1985, in the City of Gulfport, State of Mississippi, be and are for all legal intents and purposes, the children of ORREY CURTISS HOLYFIELD and VIVIAN JOAN HOLYFIELD, the same as though they were born in lawful wedlock, with all the mutual rights, privileges and benefits, duties and responsibilities, including rights existing by virtue of the Mississippi Code of 1972, Annotated, with full rights of inheritance from and through them, as a son, daughter, and heirs-at-law, and that their names be and are hereby SAMUEL SETH HOLYFIELD, and MEGAN BETH HOLYFIELD, by which name they shall hereafter be known and called. It is further,

ORDERED AND ADJUDGED that the natural parents shall not inherit from and through said children. It is further,

ORDERED AND ADJUDGED, that the Court waives the six (6) month waiting period, and does here and now approve these adoptions.

SO ORDERED AND ADJUDGED, this the 28th day of January, 1986.

/s/ Jason H. Floyd, Jr.  
Chancellor

EDWARD O. MILLER  
Attorney at Law  
1708 23rd Avenue  
P.O. Box 1945  
Gulfport, MS 39502  
(601) 868-7701

STATE OF MISSISSIPPI  
COUNTY OF HARRISON  
CAUSE NO. A-3574

**AFFIDAVIT**  
**FILED JUNE 9, 1986**

COMES NOW, JENNIE BELL, mother of LITTLE BOY BELL and LITTLE GIRL BELL, a/k/a SAMUEL SETH HOLYFIELD and MEGAN BETH HOLYFIELD, and after having been duly sworn by me, deposes and says as follows:

That I am the mother of LITTLE BOY BELL and LITTLE GIRL BELL, born on the 29th day of December, 1985, in Gulfport, Mississippi, and I do hereby reaffirm my Consent to Adoption for the above stated minor children to ORREY CURTISS HOLYFIELD and VIVIAN JOAN HOLYFIELD, and it is my wish that they remain the adoptive parents of said minor children. I do further state that said children were born in Gulfport, Mississippi and have never been at any time on the Choctaw Indian Reservation in Neshoba County, Mississippi and it is my desire that said children remain in Gulfport, Mississippi, with ORREY CURTISS and VIVIAN JOAN HOLYFIELD.

It is further my wish that any legal proceedings or matters concerning said minor children be held in the Chancery Court of Harrison County, Mississippi, and not on the Choctaw Indian Reservation in Philadelphia, Mississippi.

SO DEPOSED, this the 31st day of May, 1986.

/s/  
JENNIE BELL

STATE OF MISSISSIPPI  
COUNTY OF NESHoba

PERSONALLY appeared before me, the undersigned authority in and for the aforesaid County and State, JENNIE BELL, who, after being first duly sworn, states on her oath that the matters, facts and things contained in the above and foregoing affidavit are true and correct as stated therein.

/s/ Arthur C. Sharp Jr.  
NOTARY PUBLIC

My Commission Expires:  
8-8-89

STATE OF MISSISSIPPI  
COUNTY OF NESHOBIA

REAFFIRMATION OF CONSENT TO ADOPTION  
FILED JUNE 9, 1986

I, the undersigned, WINDELL JEFFERSON, an adult resident citizen of the Choctaw Indian Reservation in Neshoba County, Mississippi, do hereby reaffirm my Consent to Adoption given on the 11th day of January, 1986. A copy of said consent is attached hereto as Exhibit "A," and made a part hereof as though fully copied in words and figures. I do further state that it is my wish that the minor children, LITTLE GIRL BELL and LITTLE BOY BELL, remain with the adoptive parents, ORREY CURTISS HOLYFIELD and VIVIAN JOAN HOLYFIELD. Further, I do hereby certify that said children have been domiciled since their birth in Harrison County, Mississippi, and have never at any time resided elsewhere. Further, it is my desire that any legal proceedings or matters concerning said children be held in the Chancery Court of Harrison County, Mississippi and not on the Choctaw Indian Reservation in Neshoba County, Mississippi.

WITNESS my signature, this the 31st day of May, 1986.

/s/

WINDELL JEFFERSON

STATE OF MISSISSIPPI  
COUNTY OF NESHOBIA

PERSONALLY appeared before me, the undersigned authority in and for the aforesaid County and State, WINDELL JEFFERSON, who, after being first duly sworn, states on his oath that the matters, facts, and things contained in the above and foregoing Reaffirmation of Consent to Adoption are true and correct as stated therein.

/s/ Arthur C. Sharp, Jr.  
NOTARY PUBLIC

My Commission Expires:  
8-8-89

EXHIBIT "B"

STATE OF MISSISSIPPI  
COUNTY OF NESHOBIA

CONSENT TO ADOPTION  
FILED JANUARY 16, 1986

I, the undersigned, WINDELL JEFFERSON, an adult resident non-citizen of the City of Philadelphia, State of Mississippi, the natural father of LITTLE BOY BELL and LITTLE GIRL BELL, born December 29, 1985, both minors, do hereby grant unto ORREY CURTISS HOLYFIELD, and VIVIAN JOAN HOLYFIELD, the absolute right to the care, custody, contr<sup>ol</sup>, service and earnings of said minors.

It is further understood that I hereby disclaim any further responsibility for the care and support of said minors and that said minors cannot be reclaimed by me.

After due consideration and believing that the best interest of said minors will be promoted by their being placed with the said ORREY CURTISS HOLYFIELD and VIVIAN JOAN HOLYFIELD, I do fully, finally, completely and absolutely consent to the adoption of said minors by said party, without further notice with the same force and effect as though I personally were present and gave such consent at the time of the adoption, expressly waiving the right to notice of any adoption hearing.

I further give and grant unto the said ORREY CURTISS HOLYFIELD and VIVIAN JOAN HOLYFIELD, the right of guardianship of said minors with the same parental control and authority that I would have, had I retained custody of said minors.

WITNESS MY SIGNATURE, this the 11th day of January, 1986.

/s/  
WINDELL JEFFERSON

STATE OF MISSISSIPPI

## COUNT OF NESHOBIA

SWORN to and subscribed before me, this the 11th day of January, 1986.

/s/ Arthur C. Sharp, Jr.  
NOTARY PUBLIC

My Commission Expires:  
8-8-89

EXHIBIT "C"

## TRANSCRIPT OF TESTIMONY

MR. ALFORD: If your honor, please, I have here a certificate from Robert Benn, Superintendent of the United States Department of Interior, Bureau of Indian Affairs, Choctaw Agency, Philadelphia, Mississippi, dated December 30th, 1985, Certificate of Degree of Indian Blood of Johnny Lou Bell showing that she is listed on the Mississippi Band of Choctaw Indians Census Roll of 1940, the official record of this audit being 44 which means full degree of Choctaw Indian Blood on Roll No. 4354, with a birth date of 11-4-61.

THE COURT: Any objection to that?

MR. MILLER: Yes, sir. I object, Your Honor. It is not properly certified.

THE COURT: What we are going to have to do, Gentlemen, under these conditions, we are going to have to take testimony. I mean, if Mr. Miller is denying that these people are Indians, then we have got to do something to get that established.

MR. MILLER: Your honor, I am not denying that they are Indians. I am just denying whether this is a proper certificate or not.

THE COURT: Well, will you stipulate that Ms. Bell and Mr. Bell are Indians? 1

MR. MILLER: Yes, sir. I will do that.

THE COURT: What about Mr. Jefferson?

MR. MILLER: I don't know, Your Honor. I don't know whether he is or not.

THE COURT: Do you have anything else, Mr. Alford?

MR. ALFORD: I don't at this time. I would like to submit some authorities on that along with my brief, duly authenticated.

THE COURT: All right, as long as it is stipulated that Ms. Bell is a member of the Choctaw Tribe, I think that would be sufficient.

MR. ALFORD: Indulge me just a moment. Your Honor, that concludes our introduction.

**IN THE CHANCERY COURT OF HARRISON COUNTY,  
MISSISSIPPI  
FIRST JUDICIAL DISTRICT**

**IN THE MATTER OF THE ADOPTION OF  
SAMUEL SETH HOLYFIELD AND  
MEGAN BETH HOLYFIELD**

A-3574

**NOTICE OF APPEAL  
FILED AUGUST 11, 1986**

NOTICE IS HEREBY GIVEN by the Mississippi Band of Choctaw Indians of the State of Mississippi, a duly recognized Indian Tribe organized and existing by virtue of the laws of the United States and America, Bureau of Indian Affairs, that the Court's Final Judgment filed in this cause on the 30th day of July 1986, is being appealed to the Mississippi Supreme Court.

The Intervenor and Respondent, Mississippi Band of Choctaw Indians of the State of Mississippi, by and through its attorneys, hereby designate the following as the record on appeal:

1. All pleadings filed in this cause;
2. All matters of record preliminary to the actual trial of this cause, including the matters of record made, all exhibits, and all notices;
3. The entire transcript taken and recorded by the Court Reporter;
4. All stipulations;
5. The Court's Opinion and Final Judgment.

Respectfully submitted

MISSISSIPPI BAND OF CHOCTAW INDIANS  
OF THE STATE OF MISSISSIPPI

/s/

By: HERMAN ALFORD  
ITS ATTORNEY